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NUMBER: EL 831792139 US

DATE OF DEPOSIT: July 2, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**David A. Fischhoff,  
Roy L. Fuchs,  
Paul B. Lavrik,  
Sylvia A. McPherson,  
Frederick J. Perlak**

Serial No.: 09/943,692

Filed: August 31, 2001

For : **COLEOPTERAN TOXIN PROTEINS OF  
BACILLUS THURINGIENSIS (AMENDED)**

§  
§ Confirmation No.: 4166  
§  
§ Art Group No.: 1653  
§  
§ Examiner: G. Bugaisky  
§  
§ Atty. Dkt.: 11899.0195.DVUS01  
§  
§  
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§

**CORRESPONDENCE ADDRESS  
ELECTION UNDER 37 C.F.R. §§ 3.71 and 3.73  
AND POWER OF ATTORNEY**

Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

Please direct all communications as follows:

Patricia A. Kammerer  
HOWREY SIMON ARNOLD & WHITE, LLP  
750 Bering Drive  
Houston, Texas 77057  
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The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor(s).

The Assignee hereby revokes any previous Powers of Attorney and appoints:

T: K. Ball, Reg. No. 42,287; Gary M. Bond, Reg. No. 29,283; Grace L. Bonner, Reg. No. 32,963; Thomas P. McBride, Reg. No. 32,706; F. Nikki Davis 48,371; each an attorney or patent agent with MONSANTO COMPANY, so long as they remain with such company,

and

Patricia A. Kammerer, Reg. No. 29,775; Matthew Madsen, Reg. No. 45,594; Raymond Reese, Reg. No. 47,891; Christopher Buntel, Reg. No. 44,573; and Amy G. Klann, Reg. No. 48,155; each an attorney or patent agent with the law firm of HOWREY SIMON ARNOLD & WHITE, LLP, as its attorney so long as they remain with such law firm,

with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to **MONSANTO TECHNOLOGY LLC** referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Pursuant to MPEP § 324(2), the undersigned avers that she is empowered to sign this statement on behalf of assignee.

ASSIGNEE: **MONSANTO TECHNOLOGY LLC**

Date: 30 June, 2004

By: 

Name: Thomas P. McBride

Registration No. 32,706

Title: Intellectual Property Counsel

ASSIGNMENT:



Concurrently filed



Previously Recorded:

Date: 06/13/01

Reel: 012350

Frame: 0224